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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (optional) 12665 .46
I hereby declare that:		
My residence and post office address and citizenship are stated below next to my name.		
I am authorized to act on behalf of the following assignee: <u>MessagePhone, Inc.</u>		
and the title of my position with said assignee is: _____		
The entire title to the patent identified below is vested in said assignee.		
Name of Patentee(s): <u>Lawrence R. Biggs, Jr. and Harry S. Budow</u>		
Patent Number <u>5,323,448</u>	Date of Patent Issued <u>June 21, 1994</u>	
Title of Invention <u>SYSTEM FOR ACCESSING AMENITIES THROUGH A PUBLIC TELEPHONE NETWORK</u>		
I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled _____ <u>SYSTEM FOR ACCESSING AMENITIES THROUGH A PUBLIC TELEPHONE NETWORK</u>		
the specification of which		
<input checked="" type="checkbox"/> is attached hereto.		
<input type="checkbox"/> was filed on _____ as reissue application number _____ / _____ and was amended on _____ (If applicable)		
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.		
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.		
I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)		
<input checked="" type="checkbox"/> by reason of a defective specification or drawing.		
<input type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.		
<input type="checkbox"/> by reason of other errors.		
At least one error upon which reissue is based is described as follows: Regarding Claims 1 and 18, the specification does not comply with the written description requirement with regard to the term "central distribution computer," as explained in <u>MessagePhone v. SVI Systems, Inc. and Tharaldson Property Management, Inc.</u> 99-1471, - 1478 (Fed. Cir., decided August 11, 2000). Opinion attached hereto.		
[Attach additional sheets, if needed.]		
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.		

1. The first part of the document is a list of references. The references are listed in a standard format, with the author's name, the title of the work, and the publisher. The references are as follows:

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(REISSUE APPLICATION DECLARATION BY THE ASSIGNEE, page 2)

Docket Number (Optional)

12665 :46

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s) **David L. McCombs** Registration Number **32,271; Jeffrey M. Becker 35,442; David M. O'Dell, 42,044; Warren B. Kice, 22,732; Randall E. Colson, 40,566;**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

Signature

Date

Address of Assignee

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United States

Residence/Post Office Address

Dallas, Texas

Patentee

Harry S. Budow

Citizenship

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Residence/Post Office Address

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of the undersigned's knowledge and belief, title is in the above-

identified assignee. The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true; and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed the 21st day of December, 2000.

MESSAGEPHONE, INC.

By: 

Name: _____

Title: _____

Joel Pugh
PRESIDENT

J-823433.1

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